

AMENDED IN SENATE AUGUST 18, 2009

AMENDED IN SENATE JULY 14, 2009

AMENDED IN SENATE JUNE 29, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1243

Introduced by Assembly Member Bonnie Lowenthal

February 27, 2009

An act to add and repeal Section 34503.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1243, as amended, Bonnie Lowenthal. Strategic Area Freeway Enforcement Task Force.

Existing law requires the Department of the California Highway Patrol to adopt reasonable rules and regulations that, in the judgment of the department, are designed to promote the safe operation of specified commercial vehicles, regarding, among other things, inspection and maintenance of vehicles and to adopt procedures for the enforcement of these rules and regulations.

This bill would, until January 1, 2012, establish the Strategic Area Freeway Enforcement Task Force in the Business, Transportation and Housing Agency to develop a work program that will optimize the effectiveness and efficiencies of the commercial vehicle enforcement network in southeast Los Angeles County through a multiagency

collaborative effort focused on addressing ongoing commercial vehicle enforcement issues and to recognize the potential benefits from specified technologies.

The bill would require the task force to report annually, on or before December 31 of each year, to the Governor, the Business, Transportation and Housing Agency, and the Assembly Committee on Transportation and the Senate Committee on Transportation and Housing on the progress made towards—~~implementation~~ *adoption* of the recommendations developed to improve commercial vehicle enforcement in southeast Los Angeles County pursuant to a specified list of ~~12~~ 6 objectives, that include, among other things, review of ~~Vehicle Dimension-in-Motion~~ *vehicle dimension-in-motion* (VDIM) and ~~Automated Vehicle Identification~~ (AVI) *automated driver identification* (ADI) devices as a legal enforcement tool.

The bill would require that the task force consist of 4 specified members, that the members of the task force serve without compensation, and that no state funds be used to compensate the members for expenses incurred in the performance of their official duties. The bill would also provide that the task force would not be required to implement the provisions of the bill except to the extent that nonstate funds are available for that purpose.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 34503.5 is added to the Vehicle Code,
2 to read:
3 34503.5. (a) There is hereby established in the Business,
4 Transportation and Housing Agency the Strategic Area Freeway
5 Enforcement Task Force, which shall be convened on or before
6 April 1, 2010. The goal of the task force is to develop a work
7 program that will optimize the effectiveness and efficiencies of
8 the commercial vehicle enforcement network in southeast Los
9 Angeles County through a multiagency collaborative effort focused
10 on addressing ongoing commercial vehicle enforcement issues
11 and to recognize the potential benefits from emerging technologies.
12 The activities of the task force are intended to contribute to
13 maintaining the state's strategic advantage *in goods movement*

1 through improved decisionmaking and prudent and adequate
2 investment.

3 (b) The task force shall report annually on or before December
4 31 of each year to the Governor, the Business, Transportation and
5 Housing Agency, and the Assembly Committee on Transportation
6 and the Senate Committee on Transportation and Housing on the
7 progress made toward—~~implementation~~ *adoption* of the
8 recommendations developed to improve the commercial vehicle
9 enforcement in southeast Los Angeles County pursuant to the
10 objectives set forth in subdivision (f).

11 (c) The task force shall consist of four members. The Secretary
12 of Business, Transportation and Housing shall appoint one member
13 each from nominations provided by the Gateway Cities Council
14 of Governments (COG), the Director of Transportation (Caltrans),
15 the Los Angeles County Metropolitan Transportation Authority,
16 and the Commissioner of the California Highway Patrol (CHP).
17 The Secretary of Business, Transportation and Housing shall
18 designate a chair and vice chair.

19 (d) Members of the task force shall serve without compensation,
20 and no state funds may be used to compensate the members for
21 expenses incurred in the performance of their official duties.

22 (e) The task force shall be responsible for development of a
23 work program and coordinating efforts of the participating agencies
24 in—~~implementation efforts~~ *the development, and subsequent*
25 *progress towards implementation of discrete elements*, of the work
26 program. The task force ~~shall from time to time consult~~
27 ~~stakeholders affected by the work plans as they are developed~~ *shall*
28 *consult stakeholders at all task force meetings and seek specific*
29 *input from stakeholders affected by the individual work plan*
30 *elements as they are developed in support of the overall work*
31 *program*. The stakeholders should include, at a minimum,
32 representatives from *port-related* trucking organizations, labor
33 organizations, businesses engaged in commercial vehicle
34 operations, and *representatives from the San Pedro Bay Ports as*
35 *well as other stakeholders, as agreed upon by the task force*.

36 (f) The task force shall consider the following activities, which
37 address areas to be emphasized, including, but not be limited to,
38 major policy issues related to commercial vehicle enforcement:

39 ~~(1) Evaluate the current commercial vehicle fine structure and~~
40 ~~the relative distribution of the resulting revenues.~~

1 ~~(2) Evaluate the potential to standardize fine structure and~~
2 ~~process.~~

3 ~~(3) Make recommendations as to whether it is desirable to relate~~
4 ~~the level of fines to the level of damage to infrastructure and the~~
5 ~~risk of harm to people.~~

6 ~~(4)~~

7 ~~(1) Review current statutory authority for rerouting vehicles.~~

8 ~~(5)~~

9 ~~(2) Review role of transponders or other technology devices in~~
10 ~~relation to registration of commercial vehicles *including, but not*~~
11 ~~*limited to, weigh-in-motion (WIM) devices, vehicle*~~
12 ~~*dimension-in-motion (VDIM) devices, automated driver*~~
13 ~~*identification (ADI) devices, and automated load identification*~~
14 ~~*devices.*~~

15 ~~(6) Review Weigh-in-Motion (WIM) devices as a legal~~
16 ~~enforcement tool.~~

17 ~~(7) Review Vehicle Dimension-in-Motion (VDIM) devices as~~
18 ~~a legal enforcement tool.~~

19 ~~(8) Review Automated Vehicle Identification (AVI) devices as~~
20 ~~a legal enforcement tool.~~

21 ~~(9) Review Automated Driver Identification (ADI) devices as~~
22 ~~a legal enforcement tool.~~

23 ~~(10) Review Automated Load Identification (ALI) devices as~~
24 ~~a legal enforcement tool.~~

25 ~~(11)~~

26 ~~(3) Evaluate the siting of truck enforcement facilities in~~
27 ~~southeast Los Angeles County.~~

28 ~~(12)~~

29 ~~(4) Evaluate the advantages and disadvantages in the~~
30 ~~development of automated systems for truck enforcement and~~
31 ~~inspection for southeast Los Angeles County.~~

32 ~~(5) *Evaluate potential funding sources for the construction,*~~
33 ~~*operation, and maintenance of manned and unmanned enforcement*~~
34 ~~*facilities.*~~

35 ~~(6) *Provide an assessment of whether the automated devices*~~
36 ~~*referenced in paragraph (2) have the potential to improve the*~~
37 ~~*efficiency of the goods movement in southeast Los Angeles County*~~
38 ~~*and to extend to the state's goods movement network.*~~

39 ~~(g) The task force shall provide a summary of its~~
40 ~~recommendations regarding all action items to each member agency~~

1 prior to submitting the annual report required pursuant to
2 subdivision (b).

3 (h) Initial tasks for the task force shall be the development of a
4 work program that results in the development of a series of specific
5 targeted actions in conformance with each of the following four
6 major action steps to address the areas to be emphasized as
7 specified in subdivision (f):

8 (1) Convening participants.

9 (2) Gathering and analyzing relevant data.

10 (3) Brainstorming of actions.

11 (4) Refinement of actions.

12 (i) The task force shall not be required to implement the
13 provisions of this section except to the extent that nonstate funds
14 are available to the task force for that purpose.

15 (j) This section shall remain in effect only until January 1, 2012,
16 and as of that date is repealed, unless a later enacted statute, that
17 is enacted before January 1, 2012, deletes or extends that date.